

# RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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**COPY**

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

- (1) Dosuk D. Lee
- (2) Christian Rey
- (3) Maria Aiolo

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Etex Corporation

Internal Address: \_\_\_\_\_

Street Address: 38 Sidney Street

City: Cambridge State: MA ZIP: 02139

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other \_\_\_\_\_

Execution Date: (1) 3/18/97, (2) 3/6/97 (3) 2/21/97

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_  
 A. Patent Application No.(s) 08/729,343  
 B. Patent No.(s) \_\_\_\_\_  
 I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231 on March 19, 1997  
Mary Rose Scozzafava

Additional numbers attached? ☐ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mary Rose Scozzafava

Internal Address: Choate, Hall & Stewart  
Exchange Place

Street Address: 53 State Street

City: Boston State: MA ZIP: 02109

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

03-1721

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mary Rose Scozzafava, Reg. No. 36,268

Name of Person Signing

Mary Rose Scozzafava  
Signature

3/19/97

Date

Total number of pages including cover sheet, attachments, and document: 5

## ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned Dosuk D. Lee, Christian Rey and Maria Aiolova, hereby

Sell, assign and transfer to Etex Corporation, a corporation having a place of business at 38 Sidney Street, Cambridge, Massachusetts, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent signed by us this day, entitled "ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS", USSN 08/729,343, filed October 16, 1996, and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

Dated: 02/18/97

  
Dosuk D. Lee

Dated: 3/18/97

  
Witnessed by:

Dated: 3/18/97

  
Witnessed by:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Christian Rey

Dated: \_\_\_\_\_

\_\_\_\_\_  
Witnessed by:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Witnessed by:

Dated: 2/21/97

M. Aiolo  
Maria Aiolo

Dated: 2/21/97

Pramod Chakravarthy  
Witnessed by:

Dated: 2/21/97

Lena E. Adams  
Witnessed by:

## ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned Dosuk D. Lee, Christian Rey and Maria Aiolova, hereby

Sell, assign and transfer to Etex Corporation, a corporation having a place of business at 38 Sidney Street, Cambridge, Massachusetts, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent signed by us this day, entitled "ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS", USSN 08/729,343, filed October 16, 1996, and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Dosuk D. Lee

Dated: \_\_\_\_\_

\_\_\_\_\_  
Witnessed by:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Witnessed by:

Dated: March 6<sup>th</sup> 1997

C Rey

Christian Rey

Dated: March 6<sup>th</sup> 1997

J. Szilagyi

Witnessed by: SZILAGYI Jacqueline

Dated: March 6<sup>th</sup> 1997

[Signature]

Witnessed by: DONAZZO Benoit

Dated: \_\_\_\_\_

\_\_\_\_\_  
Maria Aiolova

Dated: \_\_\_\_\_

\_\_\_\_\_  
Witnessed by:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Witnessed by:

ATTORNEY DOCKET NO.: 0245352-0013

Applicant: Lee et al.  
Serial No.: 08/729,343  
Filed: October 16, 1996  
For: ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**37 CFR 1.9(f) and 1.27(c)**  
**SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official empowered to act on behalf of the small business concern identified

below:

NAME OF CONCERN: Etex Corporation  
ADDRESS OF CONCERN: 38 Sidney Street, Cambridge, Massachusetts 02139

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For the purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full time, part time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract of law have been conveyed to and remain with the small business concern identified above with regard to the invention titled:

TITLE: ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS  
by:

INVENTORS: Dosuk D. Lee, Christian Rey and Maria Aiolo  
described in:

- ☐ the specification filed herewith  
☒ U.S. Patent Application Serial Number 08/729,343  
filed October 16, 1996  
☐ U.S. Patent Number \_\_\_\_\_  
issued \_\_\_\_\_

If the rights of the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor(s), who could not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention, averring to their status as small entities. (37 CFR 1.27).

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: DAVID KNACK  
TITLE IN ORGANIZATION: DIRECTOR OF TECHNOLOGY DEVELOPMENT  
ADDRESS OF PERSON SIGNING: Etex Corporation  
38 Sidney Street  
Cambridge, Massachusetts 02139

SIGNATURE:  DATE: 18 March 97

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

\_\_\_\_\_ is attached hereto

  X   was filed on   October 16, 1996   as Application Serial No.   08/729,343   and amended on \_\_\_\_\_ (if applicable).

\_\_\_\_\_ was filed as PCT international application No. \_\_\_\_\_, on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	_____ Yes	_____ No
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_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	_____ Yes	_____ No
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96907 E4E62280



I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/650,764</u> (Application Serial No.)	<u>May 20, 1996</u> (filing date)	<u>pending</u> (status)
<u>08/446,182</u> (Application Serial No.)	<u>May 19, 1995</u> (filing date)	<u>pending</u> (status)

PCT Applications designating the United States:

<u>                    </u> (PCT Appl. No.)	<u>                    </u> (filing date)	<u>                    </u> (status)
<u>                    </u> (PCT Appl. No.)	<u>                    </u> (filing date)	<u>                    </u> (status)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

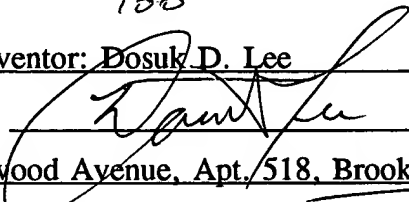
Sam Pasternack, Reg. No. 29,576; David J. Powsner, Reg. No. 31,868;  
Mary Rose Scozzafava, Reg. No. 36,268; Mary Raynor Jimenez, Reg. No. 37,219; and  
Brenda Herschbach Jarrell, Reg. No. 39,223.

Address all telephone calls to Mary Rose Scozzafava at telephone no. (617) 248-5000.

Address all correspondence to Mary Rose Scozzafava, Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109-2891.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

100  
Full name of first inventor: Dosuk D. Lee

Inventor's signature: 

Date: 03/18/97

Residence: 50 Longwood Avenue, Apt. 518, Brookline, Massachusetts 02146

Citizenship: United States

Post Office Address: same

Full name second inventor: Christian Rey


Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Lieu-dit "Les Dames" Aureville 31320 Castanet, France

Citizenship: France

Post Office Address: same

300  
Full name third inventor: Maria Aiolova

Inventor's signature: 

Date: 2/21/97

Residence: 123 Seawall Avenue, Brookline, Massachusetts 02146

Citizenship: ~~Bulgaria~~ UNITED STATES

Post Office Address: same

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### ORTHOPEDIC AND DENTAL CERAMIC IMPLANTS

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

\_\_\_\_\_ is attached hereto

X was filed on October 16, 1996 as Application Serial No. 08/729,343 and amended on \_\_\_\_\_ (if applicable).

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Prior Foreign Application(s):

Priority Claimed

(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
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_____	_____	_____	_____	_____
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<u>                    </u> (PCT Appl. No.)	<u>                    </u> (filing date)	<u>                    </u> (status)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:  
Sam Pasternack, Reg. No. 29,576; David J. Powsner, Reg. No. 31,868;  
Mary Rose Scozzafava, Reg. No. 36,268; Mary Raynor Jimenez, Reg. No. 37,219; and  
Brenda Herschbach Jarrell, Reg. No. 39,223.

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Address all correspondence to Mary Rose Scozzafava, Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109-2891.

REG-401-62280

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor: Dosuk D. Lee

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 50 Longwood Avenue, Apt. 518, Brookline, Massachusetts 02146

Citizenship: United States

Post Office Address: same

Full name second inventor: <sup>200</sup> Christian Rey

Inventor's signature:  Date: March 6<sup>th</sup> 1997

Residence: Lieu-dit "Les Dames" Aureville 31320 Castanet, France FRX

Citizenship: France

Post Office Address: same

Full name third inventor: Maria Aiolova

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: 123 Seawall Avenue, Brookline, Massachusetts 02146

Citizenship: Bulgaria

Post Office Address: same

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